

SUPPRESSED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

DEC 22 2016

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) NO.
)
CLARENCE HOWARD,)
)
Defendant.)

4:16CR00555 HEA/DDN

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

- (a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(a));
- (b) "sexually explicit conduct" to mean actual or simulated
 - (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,
 - (ii) bestiality,
 - (iii) masturbation,
 - (iv) sadistic or masochistic abuse, or
 - (v) lascivious exhibition of the genitals or pubic area of any person (18

U.S.C. §2256(2)(A)); and

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about February 24, 2003, and on or about May 30, 2013, in the Eastern District of Missouri, and elsewhere,

Clarence Howard,

the defendant herein, did knowingly possess material that contains an image and video of child pornography that was produced using materials that traveled in interstate and foreign commerce,

to wit, DVDs that were produced outside of Missouri and therefore have traveled in interstate and foreign commerce, and said DVDs contained child pornography, including but not limited to the following:

1. "HEL_LO.MPG" – a graphic video file of a minor prepubescent female performing oral sex on an adult male and then later shows a minor prepubescent female in a lascivious display of her genitals;
2. "GOLDI_BE.JPG" – a graphic image file of a minor prepubescent female bound with ropes and being penetrated by a foreign object;
3. "(Pthc) GoldbergVideos – rave.avi" – a graphic video file of two minor prepubescent females engaged in lascivious display of their genitals and an adult male touching and digitally penetrating the vagina of one of the minor prepubescent females;
4. "African Girl-GoldBergSucky.avi" – a graphic video file of a minor prepubescent female engaged in lascivious display of her genitals and then being orally and vaginally penetrated by an adult male;
5. "SEX_PIC_ARCHIV\YOUNG_MA\F0033.JPG" – a graphic image of a minor prepubescent female performing oral sex on an adult male.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

A TRUE BILL.

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

GWENDOLYN E. CARROLL
Assistant United States Attorney